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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,904	12/27/2001	Akira Ohmura	111425	1251
25944 7590 02/26/2007 OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER HENDERSON, ADAM	
			ART UNIT	PAPER NUMBER
			2622	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/026,904

Applicant(s)

OHMURA, AKIRA

Examiner

Adam L. Henderson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 1-5 and 22-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group II, claims 6-11 and 12-21, in the reply filed on 30 November 2006 is acknowledged. The traversal is on the ground(s) that the application does not place significant burden upon the examiner. This is not found persuasive because the three groups are drawn towards claims that are classified in three separate areas, as such a different search would be required for each group of claims thus putting an undue burden upon the examiner in order to properly examine the application.

The requirement is still deemed proper and is therefore made FINAL.

Claim Objections

2. Claims 6 and 12 are objected to because of the following informalities: Claim 6 line 3 and claim 12 line 3 both recite "the public call" however there is no antecedent for a public call, as such the examiner believes it would be more correct for this to read --a public call--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-11 and 12-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin (US Patent 6,836,663) in view of DaGraca et al. (US Patent 6,646,676).

5. With regard to claim 6 Kotzin discloses a watching system comprising:

a mobile terminal (wireless communications device 100, FIG. 1) capable of a first wireless communication on the public call (network interface 104, FIG. 1) and a second wireless communication on an internal call (short-range wireless interface 102, FIG. 1);

a remote communication equipment capable of transmitting data to the mobile terminal through one of the first and second wireless communications (column 3 lines 19-67, FIG. 2).

Kotzin fails to disclose a watching camera that takes pictures of a field to output image data.

DaGraca et al. disclose a watching camera (digital video camera 201-202, FIG. 2) that takes pictures of a field to output image data (column 4 line 30 – column 5 line 23) and outputting them to a cell phone (column 5 lines 20-23).

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the system of Kotzin to include the camera of DaGraca et al. in order to provide fast and efficient security and surveillance especially during a security event (DaGraca et al, column 5 lines 9-23).

6. With regard to claim 7 Kotzin discloses the watching system according to claim 6, further comprising a controller that makes a first try with the second wireless communication and a second try with the first wireless communication if the first try results in fail (column 3 lines 19-67).

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7. With regard to claim 8 Kotzin discloses the watching system according to claim 7, wherein the controller is located in the mobile terminal (column 3 lines 24-40) [the system first checks if the data is available locally, if not it sends out a request for the data from an outside source].

8. With regard to claim 9 Kotzin discloses the watching system according to claim 7, wherein the controller is located in the remote communication equipment (column 3 lines 36-60) [the proximal device determines if the data is available over the short-range wireless, if not is retrieves the data from the network interface].

9. With regard to claim 10 Kotzin discloses the watching system according to claim 6, wherein the second wireless communication is on a wireless local area network (column 3 lines 7-10).

10. With regard to claim 11 Kotzin discloses the watching system according to claim 6, but fails to disclose wherein the mobile terminal is capable of transmitting a command to the remote communication equipment through one of the first and second wireless communications.

DaGraca et al. disclose wherein the mobile terminal is capable of transmitting a command to the remote communication equipment through one of the first and second wireless communications (column 4 lines 53-59) [it is disclosed that the phones may be used to transmit control signals to consumer electronics i.e. cameras].

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the system of Kotzin to include the remote control functions of DaGraca et al. in order to provide a method to remotely turn on/off the cameras and to provide other remote controls functionality to the camera (DaGraca et al, column 4 lines 53-56).

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11. All limitations of claim 12 are addressed in the rejection of claim 6. Claim 12 is therefore likewise rejected.

12. All limitations of claim 13 are addressed in the rejection of claim 7. Claim 13 is therefore likewise rejected.

13. All limitations of claim 14 are addressed in the rejection of claim 10, Claim 14 is therefore likewise rejected.

14. With regard to claim 15, the examiner takes Official Notice that it is old and well known in the art to give priority to one communication device over another when the two are located within the same system.

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the system of Kotzin and DaGraca et al. to include the old and well known concept of communication device priority in order to avoid having communications over the preferred device interrupted during transmission. This would be beneficial in order to ensure that any important data being transmitted is not terminated mid-transmission and the user will not have to attempt a retransmit to correct a transmission loss due to an incoming transmission over the other communication device.

15. With regard to claim 16 Kotzin discloses the watching system according to claim 12, wherein the remote communication equipment is adapted to transmit the data of the watching camera (column 3 lines 19-67).

16. With regard to claim 17 Kotzin discloses the watching system according to claim 12, wherein the mobile terminal has a monitor device (display 110, FIG 1) which displays the signal from the remote communication equipment (column 2 lines 26-30).

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17. With regard to claim 18 DaGraca et al. disclose the watching system according to claim 17, wherein the signal from the remote communication equipment is the image data of the watching camera (column 5 lines 20-23).

18. With regard to claim 19 DaGraca et al. disclose the watching system according to claim 12, wherein the remote communication equipment includes a detector that detects a predetermined condition on the image data to generate the signal to be transmitted to the mobile terminal (security event, column 5 lines 16-23 and column 6 lines 27-46).

19. All limitations of claim 20 are addressed in the rejection of claim 11. Claim 20 is therefore likewise rejected.

20. With regard to claim 21 Kotzin discloses the watching system according to claim 12, wherein the mobile terminal is a mobile phone (column 1 lines 15-16).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Henderson whose telephone number is 571-272-8619. The examiner can normally be reached on Monday-Friday, 7am to 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ALH

20 February 2007



NGOC-YEN VU
SUPERVISORY PATENT EXAMINER